

DELEGATE J. CLARK (presiding):  
Delegate Hanson.

DELEGATE HANSON: I share the same concerns stated by Delegate Case, that you have restated the law and made an unnecessary restatement of it.

I would like to know further whether you are speaking for the Committee or against the Committee?

DELEGATE J. CLARK (presiding):  
Delegate Kiefer.

DELEGATE KIEFER: The majority adopted the concept set forth in section 4. The amendment, I assume, would be my own amendment and I do not know how many other members of the Committee would join in it.

Delegate Weidemeyer has indicated his acceptance of it.

DELEGATE J. CLARK (presiding):  
The Chair recognizes Delegate Moser.

DELEGATE MOSER: I have a question of Chairman Kiefer again.

DELEGATE J. CLARK (presiding):

Delegate Kiefer, would you yield?

DELEGATE KIEFER: Yes.

DELEGATE J. CLARK (presiding):  
Delegate Moser.

DELEGATE MOSER: It says in line 9 "As may be provided by the General Assembly." Does that mean by law?

DELEGATE J. CLARK (presiding):  
Delegate Kiefer.

DELEGATE KIEFER: Yes.

DELEGATE J. CLARK (presiding):  
Delegate Moser.

DELEGATE MOSER: Where you use the phrase "by law" or where it is intended to be used in Amendment No. 10 and where it is in fact used in section 7 as it now stands, I take it also that you mean a law which is not restricted to a public general law as we know it, but a law which could vary from county to county, from municipality to municipality. Is that not correct?

DELEGATE J. CLARK (presiding):  
Delegate Kiefer.

DELEGATE KIEFER: Delegate Moser, I do not want to undertake to say what the legislature would do, but it would be a matter within the powers of the legislature. If the legislature has the authority to design-

nate or make different rules or different laws for different localities or subdivisions that is up to the legislature. I do not mean to restrict this, and I do not mean to be cute about it.

We simply say that the General Assembly may remove the sovereign immunity for the State and its political subdivisions as it shall deem proper and in the manner and to the extent it shall deem proper.

DELEGATE J. CLARK (presiding):  
Delegate Moser.

DELEGATE MOSER: I take it, then Chairman Kiefer and I am thinking not so much about counties but municipalities which vary so much throughout the State, by this you mean that the General Assembly should have unrestricted authority in this regard, and I think the answer is yes.

DELEGATE J. CLARK (presiding):  
Delegate Kiefer.

DELEGATE KIEFER: Subject to whatever provisions the local government section may have put on this. If it is a matter of style for the Committee on Style and Drafting that is one thing. We are not trying to do anything except to provide that the General Assembly may provide how this immunity may be changed.

If they can delegate that authority down to municipalities, that is up to the legislature and the municipalities.

DELEGATE J. CLARK (presiding):  
Delegate Moser.

DELEGATE MOSER: I am really not fencing with you or trying to get you to say something you do not want to say. What I am really trying to do is to find out the intention of the Committee.

I thought you had said it earlier. It is not a question of what the Local Government Committee suggests, it is really a question of what your Committee intended. I think you really intend with regard to either one of these provisions that the General Assembly has to have a broad authority to treat units of government differently, if this is required in such a manner. I think it would be, do not you?

DELEGATE J. CLARK (presiding):  
Delegate Kiefer.

DELEGATE KIEFER: Delegate Moser, you sort of put me in the position of a housewife that just finished taking a first aid course. Maybe I ought to explain that Delegate Clark, because really I do not want to be in such a position. The housewife